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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 1, 2016

Jean Crane
jcrane@sisna.com

Subject: Email and Comments Concerning June 2016 Dust Events, Kennecott Utah Copper LLC; Bingham Canyon Mine; M/035/0002; Salt Lake County, Utah

Dear Ms. Crane:

Thank you for your email dated June 14, 2016, to the Division of Oil, Gas and Mining (Division) voicing concerns about dust on June 5 through June 9, 2016. The Bingham Canyon mine is permitted by the Division under permit number M/035/0002.

The Division's authority is related to the rules approved and promulgated by the Board of Oil, Gas, and Mining (Board) of the State of Utah, and are developed pursuant to the requirements of the Utah Mined Land Reclamation Act of 1975, Title 40, Chapter 8 of the Utah Code Annotated as amended (the Act). Section 40-8-2 of the Act states the findings of the Legislature. The principle purpose of the Division is to ensure the mine site is properly reclaimed as per Utah Administrative Rule R647, but these rules give the Division authority over certain operational aspects of mining. In accordance with legislative direction, the rules recognize the necessity to balance the reclamation objectives of the Act with the physical, biological and economical constraints which may exist on successful reclamation.

Specifically, as per rules R647-4-109.4 and R647-4-109.5, the Notice of Intention to Commence Large Mining Operations is required to identify the projected impacts to air quality and the actions which are proposed to mitigate those impacts. The East Waste Rock project of Rio Tinto Kennecott Utah Copper (RTKUC) will help to mitigate air quality impacts with the final slopes being revegetated, which will greatly reduce the dust.

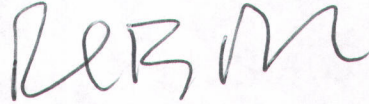
The Division has reviewed the photographs attached to your June 14, 2016, email. To determine opacity the sun must be behind the person making the determination. Photographs taken looking into the sun will cause false opacity reading due to dispersion from the particles. The Division will request from RTKUC a summary of air quality from June 5 through June 9, 2016, from RTKUC for the East Waste Rock project. In addition the Division will issue a Division Directive to RTKUC to provide additional engineering controls to mitigate dust during construction of the East Waste Rock project slopes.



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Please contact Leslie Heppler at 801-538-5257 or me at 801-538-5261 if you have further questions or concerns. We can also be reached by email at lheppler@utah.gov or paulbaker@utah.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized flourish at the end.

Paul B. Baker
Minerals Program Manager

PBB: lah: eb
Cc: Steve.Schnoor@riotinto.com
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